

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Line Drive/Sutherland Management Architectural Renderings

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dori L. DeBord **CONTACT:** Austin Watkins **EXT.** 7440

Agenda Date 2/13/2007 **Regular** ☒ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** the architectural renderings/elevations for the Line Drive/Sutherland Management rezone consisting of 1.38 ± acres located on the east side of Line Drive, 500 feet south of Sand Lake Road (Sonny Sutherland, applicant); or
2. **DENY** the architectural renderings/elevations for the Line Drive/Sutherland Management rezone consisting of 1.38 ± acres located on the east side of Line Drive, 500 feet south of Sand Lake Road (Sonny Sutherland, applicant); or
3. **CONTINUE** the request until a time and date certain.

District #1 – Dallari

Austin Watkins, Planner

BACKGROUND:

The applicant is seeking approval of the attached elevations for the Line Drive/Sutherland rezone. On November 9, 2004 the Board executed Development Order # 04-20000014 rezoning the subject property from RP (Residential Professional) to RP. Condition "I" of the attached Development Order requires the applicant to make architectural enhancements to include the removal of roll-up doors and installation of windows on the east and west sides of the north building. Further, this condition requires that the applicant obtain approval from the Board of County Commissioners for such enhancements prior to occupancy of the building. On March 29, 2005 the applicant received final engineering approval from the Development Review Division. Staff finds that the attached elevations comply with the requirements set forth in condition "I" of the executed Development Order by detailing the removal of roll-up doors and installation of windows on the east and west sides of the north building.

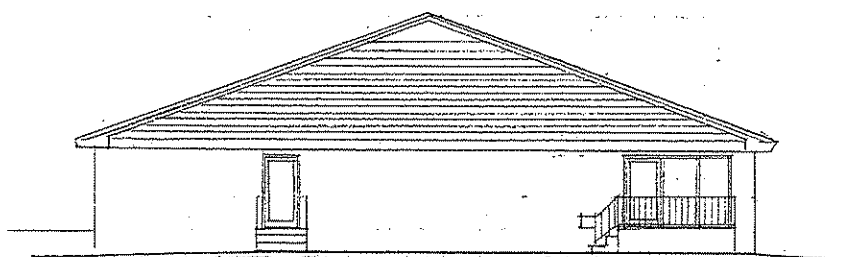
Reviewed by:	KFT
Co Atty:	
DFS:	
Other:	AB
DCM:	AS
CM:	Ca
File No.	rpdp02

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the architectural renderings/elevations for the Line Drive/Sutherland Management rezone, consisting of 1.38 ± acres located on the east side of Line Drive.

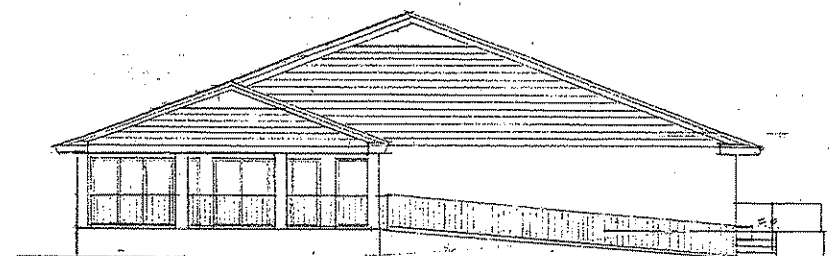
ATTACHMENTS:

Architectural Renderings/Elevations
Approved Development Order
November 9, 2004 BCC meeting minutes



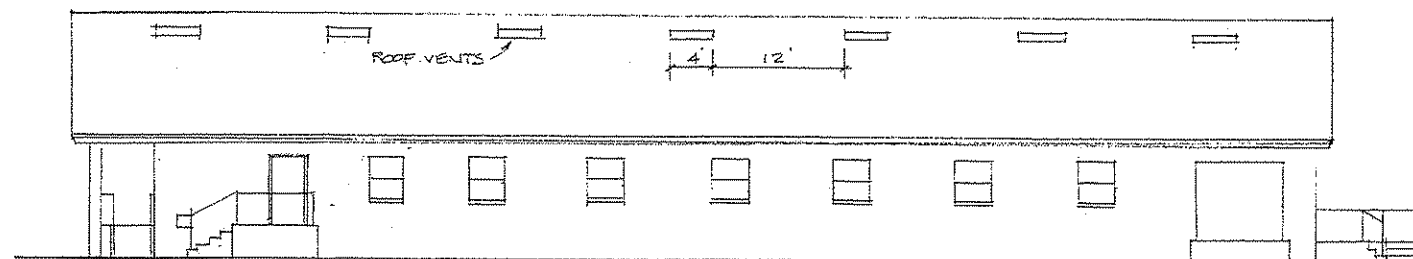
NORTH ELEVATION

1/8" = 1'-0"



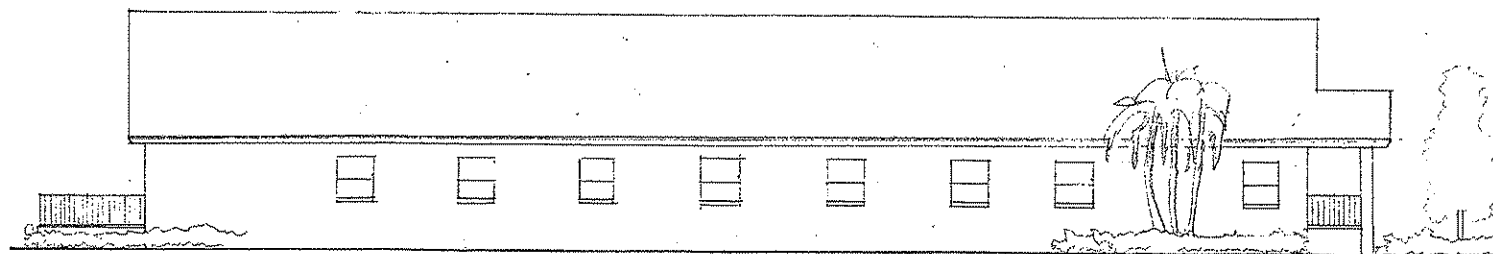
SOUTH ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0"

REVISIONS	BY

ROBERT G. OWENS
ARCHITECT
REL
136 PALM SPRINGS DRIVE, LONGWOOD, FLORIDA 32750 PHONE (407) 931-1627

LINE DRIVE OFFICE RENOVATION
APOKA, FLORIDA

Drawn by: C. C. C.
12-5-06

DRAWN
CHECKED
DATE 12-5-06
SCALE AS SHOWN
JOB NO. 02032
SHEET A-3
OF SHEETS

SEMINOLE COUNTY DEVELOPMENT
ORDER

RETURN TO SANDY MCCANN

On November 9, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: ESTATE OF H.S. MUSSELWHITE
WILLIAM A. WALKER II and GREGORY MUSSELWHITE
CO-PERSONAL REPRESENTATIVES

Project Name: ONE DRIVE / SUTHERLAND MANAGEMENT REZONE

Requested Development Approval: Rezone from RP to RP

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 05543 PGS 1585-1597
FILE NUM 2004190853
RECORDED 12/13/2004 09:38:10 AM
RECORDING FEES 112.00
RECORDED BY J Eckenroth

11/13/2004 09:38:10 AM

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

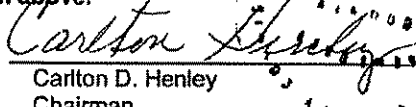
- a. Permitted and special exception uses shall be in accordance with the provisions of the RP District.
- b. A 6-foot brick or masonry wall shall be provided along the south and east property lines.
- c. A 25-foot landscaped buffer shall be provided on the east and south, with encroachment permitted for existing structures. Any new structures shall meet the active-passive setback requirements of the Land Development Code.
- d. Retention ponds adjacent to the east and south property lines may encroach into required buffers by up to 50% of the minimum width of the buffers, provided that the facility is designed to be dry within 24 hours of a 25-year storm event and does not require fencing.
- e. Required landscaping on the east and south shall be 8 canopy trees per 100 linear feet, with trees measuring at least 3 inches in diameter at 1 foot above ground level.
- f. Pavement removal shall include the subbase under existing asphalt areas. These materials shall be replaced with clean fill.
- g. Business hours shall be restricted to 7 a.m. - 9 p.m. Monday through Friday.
- h. Pedestrian connections shall be provided from both buildings to public sidewalks along Line Drive.
- i. Retention pond(s) shall be amenitized per Section 30.1344 of the Land Development Code if counted toward required open space.
- j. Outdoor lighting on the east shall be limited to motion-sensitive security lighting.
- k. Mechanical units shall be screened from view from Line Drive and adjoining residential properties.
- l. Prior to occupancy of the north building, the applicant shall make architectural enhancements to include removal of roll-up doors and installation of windows on the east and west sides of the building. Elevations shall be presented to the Board of County Commissioners for approval.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By:


Carlton D. Henley
Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, WILLIAM A. WALKER II, on behalf of himself and his successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Laurie S. Simon
Witness

Laurie S. Simon
Print Name

William A. Walker II

William A. Walker II

Co-Representative of the
Estate of H.S. Musselwhite

Clanbel M. Lemon
Witness

Clanbel M. Lemon
Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared WILLIAM A. WALKER II, and is personally known to me or who has produced as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of September, 2004.

Gail W. Barnes

Notary Public, in and for the County and State
Aforementioned

My Commission Expires

4



Gail W. Barnes
Commission #DD163934
Expires: Nov 11, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

OWNER'S CONSENT AND COVENANT

COMES NOW, GREGORY MUSSELWHITE, on behalf of himself and his successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order

Witness

Print Name

Witness

Print Name

Gregory Musselwhite

Co-Representative of the
Estate of H.S. Musselwhite**STATE OF FLORIDA****COUNTY OF SEMINOLE**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared GREGORY MUSSELWHITE, and is personally known to me or who has produced as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of November, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires

5

Gail W. Barnes
Commission #DD163934
Expires: Nov 11, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

FILE # Z2004-046

DEVELOPMENT ORDER #4-20000014

EXHIBIT A

Project Legal Description:

BEGINNING 492.21 FEET SOUTH OF THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF COUNTY LINE ROAD AND THE SOUTH RIGHT OF WAY OF SAND LAKE ROAD, RUN EAST 200 FEET, SOUTH 300 FEET, RUN WEST 200 FEET, RUN NORTH 300 FEET TO THE POINT OF BEGINNING.

This is not a certified copy

EXHIBIT B

Site Plan

This is not a certified copy

SUTHERLAND MANAGEMENT, INC.

107 NORTH LINE DRIVE
APOPKA, FLORIDA

UTILITY COMPANIES

SANITARY SEWER	SEPTIC SYSTEMS (SEAWOLE COUNTY HEALTH DEPT.)
WATER DISTRIBUTION	SEAWOLE COUNTY
ELECTRICAL POWER	PROCESS ENERGY
TELEPHONE	SEAWOLE TELEPHONE COMPANY

ATTENTION

CONTRACTOR SHALL PAY FOR AND OBTAIN A SCHEDULE COUNTY
BRIEF-OF-WAY PERMIT AND HOLD A PRE-CONSTRUCTION CONFERENCE
BEFORE STARTING WORK. CONTACT JACOB LAMONTE, CPA, 402-423-7400
FOR INFORMATION ON BIDDING, TBM PPE-CONSTRUCTION MEETING, OBTAINANCE
OF COUNTY PERMITS AND OTHER REQUIREMENTS.



LOCATION MAP

DESCRIPTION

BEGINNING 492.21 FEET SOUTH OF THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF COUNTY LINE ROAD AND THE SOUTH RIGHT OF WAY OF SAND LAKE ROAD, RUN EAST 200 FEET, SOUTH 300 FEET, RUN WEST 200 FEET, RUN NORTH 300 FEET TO THE POINT OF BEGINNING.

PROJECT DIRECTORY

DEVELOPER/ADMIN
JERRY SUTHERLAND
SUTHERLAND MANAGEMENT
1915 BEECHDALE
ORANGE, FLA 32819
TELEPHONE (408) 288-0411
FAX (408) 288-2650

THOMAS H. SEXTON, P.E.
WILCOX CIVIL ENGINEERING CO.
207 N. MOSS AVE. SUITE 211
MYRTLE SPRING, FLORIDA 32708
TELEPHONE (407) 327-7700
FAX (407) 327-0223

SUMMITON
 1000 SOUTH
 ALABAMA STREET
 130 DODDING AVE
 ALABAMA SPRING, ALA 35710
 TELEPHONE (407) 862-7230
 FAX (407) 862-8329

PROJECT NARRATIVE

REDUCE 15,350 SQ.FT. OF PAVEMENT ON-SITE AND 8,270 SQ.FT. OF PAVEMENT OFF-SITE. DEDICATE 2' OF RIGHT OF WAY TO COUNTY AND CONSTRUCT 280 L.F. OF SIDEWALK. ADD 1" TOPPING COAT OF PAVEMENT AND STRIKE PARKING LOT AS SHOWN. ADD WHEEL STOPS AND LANDSCAPING. RECORDS SHALL BE BOUND OF WAY TO CURVEYOR LINES. AND OFF-SITE DRAINAGE CONSTRUCT ON SITE DRAINAGE STALL. EXIST 400 L.F. OF TALL MASONRY TYPE WALL. ABANDONED CREST. SEWER SYSTEM AND MISCELL. SANITING SYSTEM. EXIST 400 L.F. OF 8" WATER LINE. (1) FIVE HYDRAULIC AND (2) WATER METERS WITH RADIUM.

PROPERTY I.D. # 07-21-29-300-0794-0000

RECEIVED

REQUIRED PERMITS	DATE
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INDEX OF SHEETS

SHEET	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES
3	SURVEY (EXISTING CONDITIONS)
4	DEM0 PAVEMENT PLAN
5	SITE PLAN
6	LANDSCAPE AND IRRIGATION PLAN

PLANS ISSUED FOR:	DATE
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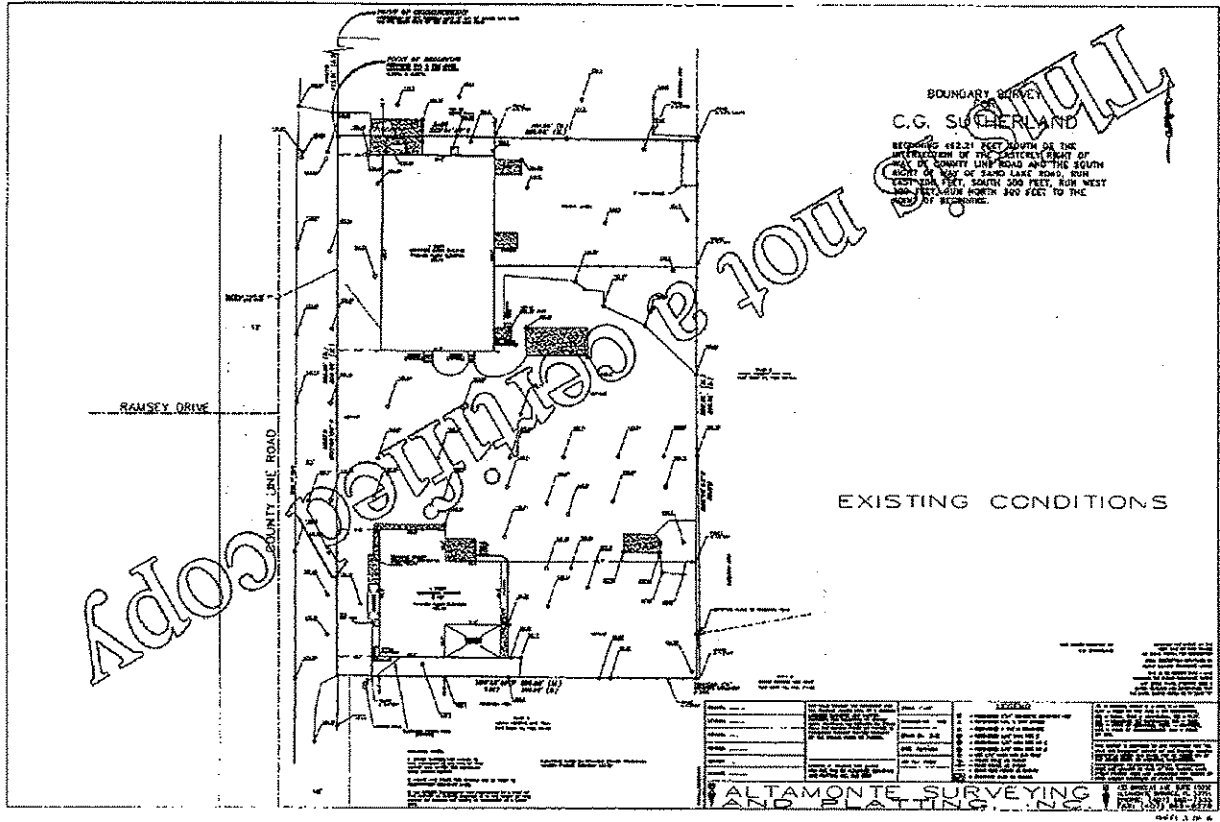
AMERICAN CIVIL
ENGINEERING CO

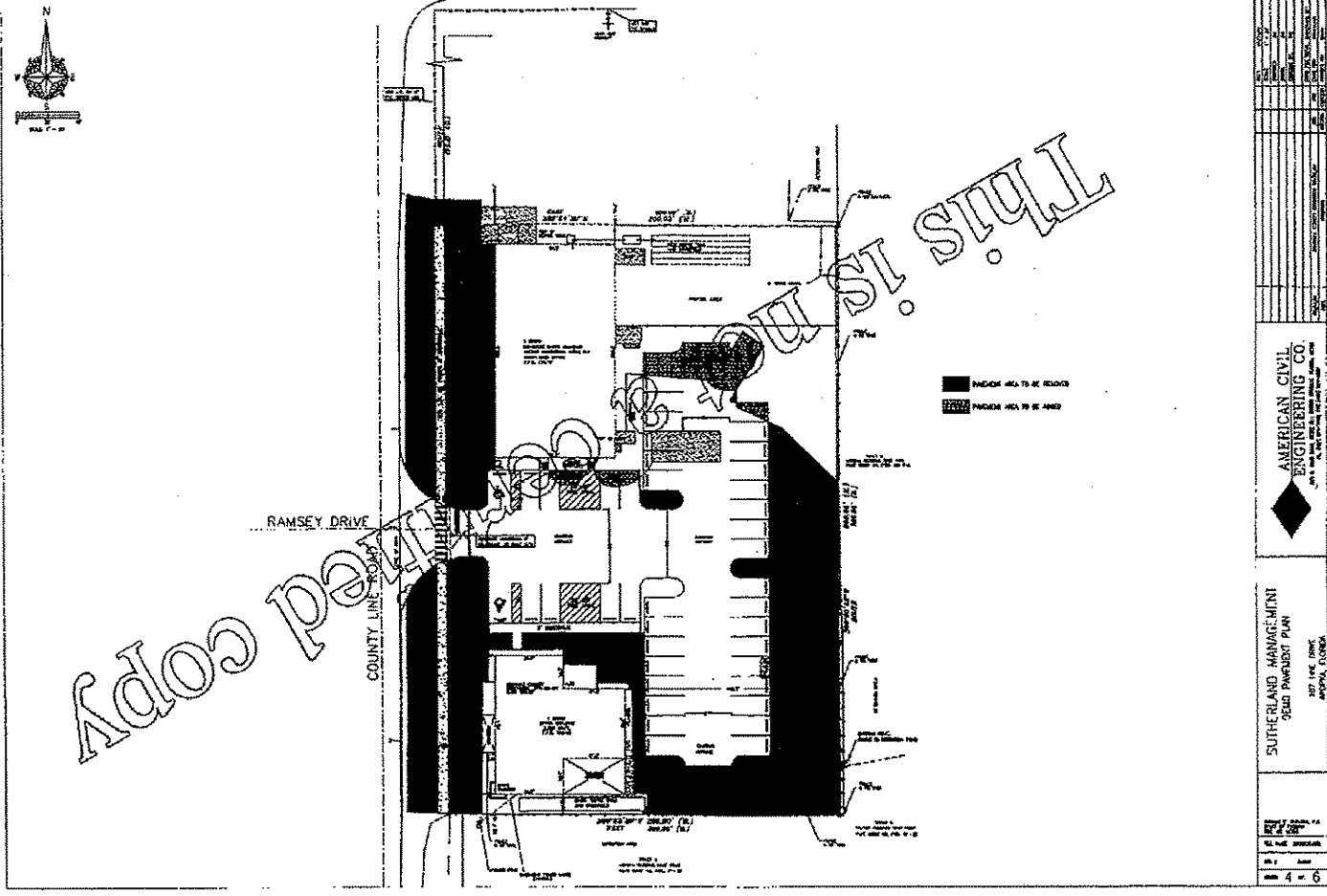
157 E. 100th St., Suite 201, Chicago, Illinois 60617
Tel. (312) 347-7700 Fax (312) 347-0822

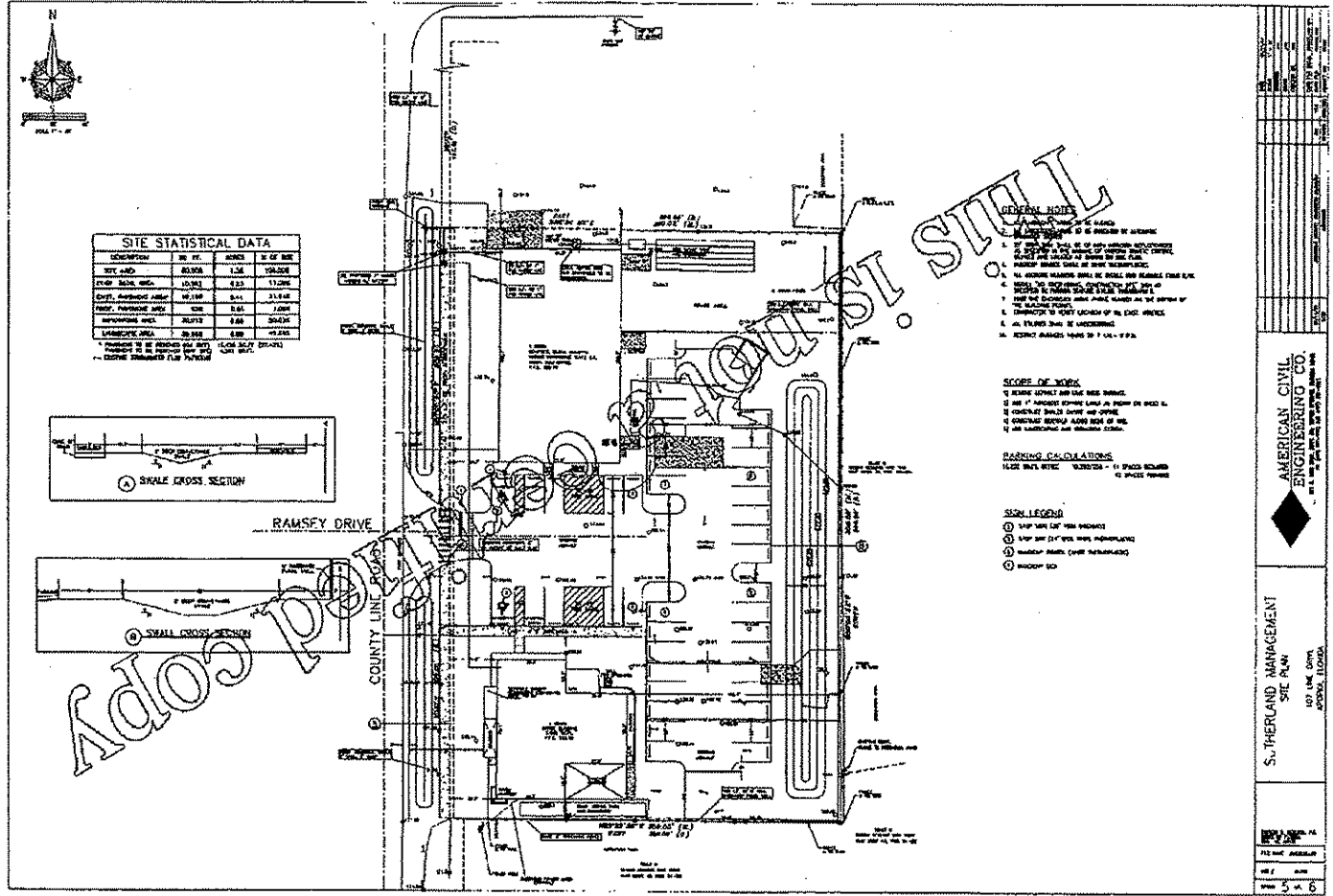
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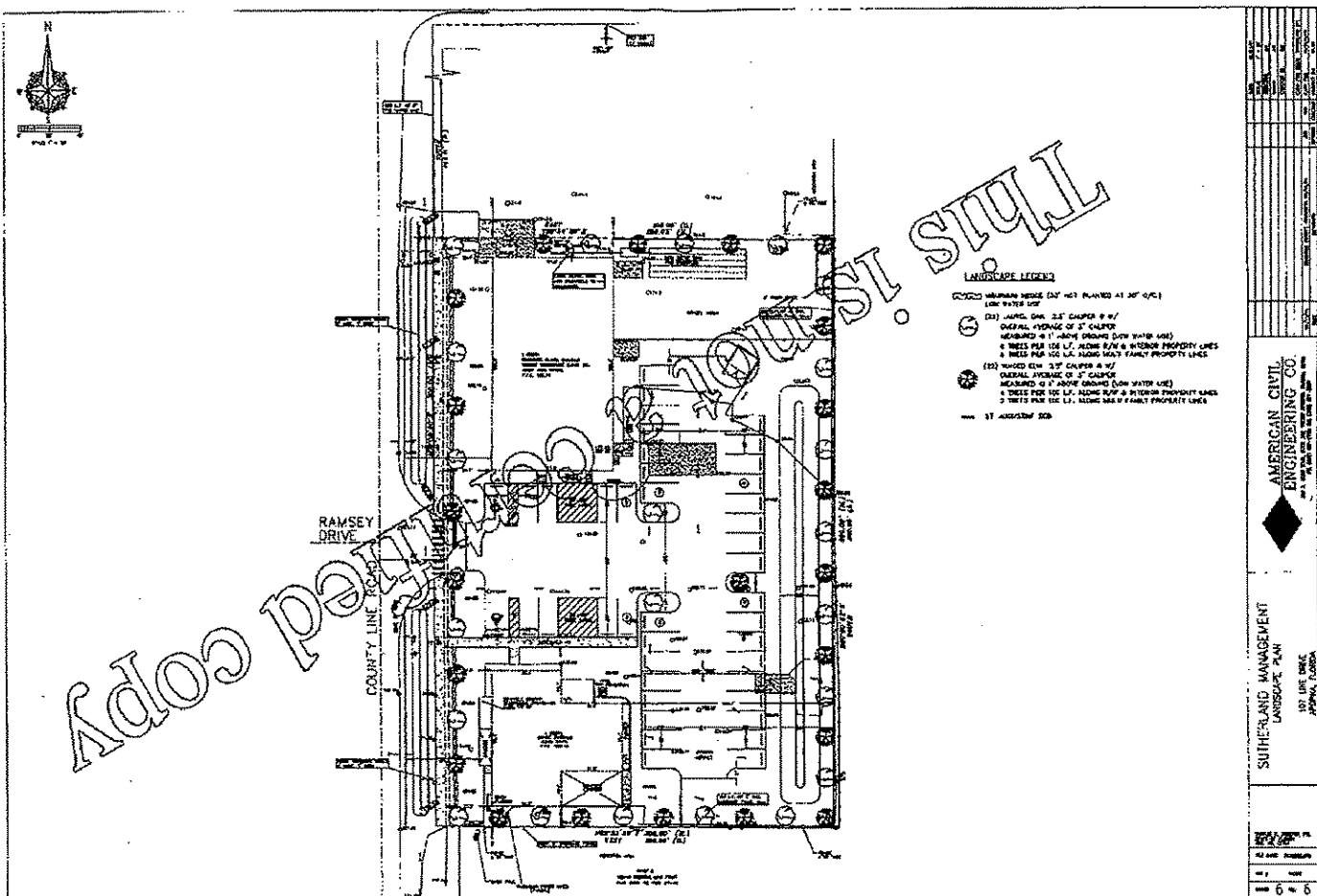
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PROOFS OF PUBLICATION

Motion by Commissioner Van Der Weide, seconded by Commissioner Henley to authorize filing of the proofs of publication for this meeting's scheduled public hearings into the Official Record.

Districts 1, 2, 3, 4 and 5 voted AYE.

PUBLIC HEARINGS
RESOLUTION/REBUDGET FUNDS

Proof of publication, as shown on page 1655, calling for a public hearing to consider Budget Amendment to Rebudget Funds from FY 2003/04 to FY 2004/05, received and filed.

Lisa Spriggs, Fiscal Services Director, addressed the Board to request authorization to reestablish the budgets for previously approved capital projects and other specific items. She stated the Budget Amendment request totals \$181,127,010 and represents various funds. She briefly reviewed the summary that is included in the packet.

No one spoke in support or in opposition.

Motion by Commissioner Van Der Weide, seconded by Commissioner Morris to adopt appropriate Budget Amendment Resolution #2004-R-209, as shown on page 1657, Rebudgeting Funds from FY 2003/04 to FY 2004/05, as described in the proof of publication.

Districts 1, 2, 3, 4 and 5 voted AYE.

REZONE/Sony Sutherland

Proof of publication, as shown on page 1678, calling for a public hearing to consider request to Rezone from RP (Residential Professional) to RP (Residential Professional) and approval of the Development Order for a 1.38 acre site located on the east side of Line Drive, 500 feet south of Sand Lake Road, Sonny Sutherland, received and filed.

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Jeff Hopper, Planner, addressed the Board to review the proposed request. He stated the property was rezoned to RP in 1985 and the applicant has provided a detailed site plan addressing conditions and other code requirements. Under the new site plan, the applicant is proposing to remove approximately 16,000 sq. ft. of pavement to create additional open space. The existing continuous strip of pavement along the Line Drive frontage would be reduced to a 24 ft. entrance drive. That would increase traffic safety and make it possible to provide landscape buffers along the road. A masonry wall will be provided adjacent to residential developments to the east and south. Upon approval of the site plan, the applicant will use the south building right away in its current condition. The north building would be renovated for office use at a later time. Staff is recommending that the applicant provide elevation showing proposed architectural enhancements. These would be presented to the Board prior to occupancy of the building. Staff recommends approval of the request subject to the conditions listed and those include: (1) A 6 ft. brick or masonry wall shall be provided along the south and east property lines; (2) Pavement removal shall include the existing sub-base with these materials to be replaced with clean fill; (3) Business hours shall be restricted from 7:00 a.m. to 9:00 p.m., Monday through Friday; and (4) The applicant shall provide elevations showing architectural enhancements to include removal of roll-up doors and installation of windows on the east and west sides of the building. These elevations shall be presented to the Board for approval prior to occupancy.

John Reynolds, American Civil Engineering, addressed the Board to state he concurs with staff and Planning and Zoning's

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(P&Z) recommendations. He stated he will be glad to answer any questions.

Upon inquiry by Commissioner Van Der Weide, Mr. Reynolds advised he concurs with P&Z recommendations relative to eliminating the hours of operation. He stated he requested that the lighting be with electric eyes so that they will go off at certain hours in the evening. He said he also requested that prefabricated concrete panels be included as well.

Upon inquiry by Commissioner Morris, Commissioner Maloy advised the wall alternatives are similar to the ones that are on I-4 but are made with different materials.

Upon further inquiry by Commissioner Morris, Mr. Hopper advised staff's intention is to have the applicant show the elevation design for the north building.

No one spoke in support or in opposition.

District Commissioner Van Der Weide stated this is an unusual site as the factory has been vacant for years and it borders Orange County. He stated he feels this would definitely be an improvement to the area. He said he doesn't have a problem with staff recommendations as well as the P&Z recommendations except for the prefabricated panels for walls.

Motion by Commissioner Van Der Weide, seconded by Commissioner Morris to adopt Ordinance #2004-44, as shown on page 1679, approving rezoning from RP (Residential Professional) to RP (Residential Professional) and authorize Chairman to execute a Development Order, as shown on page 1686, for a 1.38 acre site located on the east side of Line Drive, 500 feet south of Sand Lake Road, as described in the proof of publication, Sonny Sutherland, with staff & P&Z

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recommendations with the exception of Item #1 (approving staff recommendations on this).

Districts 1, 2, 3, 4 and 5 voted AYE.

VACATE AND ABANDON/Meredith Pickens

Proof of publication, as shown on page 1699, calling for a public hearing to consider request to vacate and abandon that portion of the public right-of-way known as Banana Lake Road consisting of 16,311 sq. ft. (.347 acres +/-) located south of CR 46A (Paola Road) and northwesterly of AAA Drive, Meredith Pickens, representative for applicant, Lakeview Estates, LLC, received and filed.

Cynthia Sweet, Development Review, addressed the Board to state the purpose of the request is to close off that segment of the right-of-way for development of a single-family residential subdivision. The applicant has agreed to provide a utility and drainage easement over the existing services. The applicant will also provide a turn around at the dead-end of Banana Lake Road for that section of the public right-of-way for the general public use. She stated the applicant has provided letters from the applicable utility companies and the City of Lake Mary stating they have no objections to the request. Staff recommends approval of the request subject to dedication of a utility and drainage easement over the existing services.

Attorney Meredith Pickens, Shutts & Bowen, addressed the Board to state before the meeting, staff indicated that there may be a discrepancy in the legal description of the drainage and utility easement and they will work with staff to fix that discrepancy.